

PLANNING COMMISSION REPORT



MEETING DATE: July 9, 2003

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

ReinventED

REQUEST

Request to approve a conditional use permit for a private/charter school on a 11.9 +/- acre parcel located at 9181 E Bell Road with Industrial Park, Planned Community District (I-1 PCD) zoning.

11-UP-2003

Key Items for Consideration:

- The charter school is proposed in an Industrial Park setting versus their typical residential setting
- The school has no external facilities (playfields, courtyards, etc.)
- No opposition has been received on this application

Related Policies, References:

- Case 33-ZN-2000 created the Horseman's Park Planned Community Development Overlay in March 2001, which restricted building heights, setbacks, and view corridors.

OWNER

BWE 2000 LLC
480-348-7470

APPLICANT CONTACT

James Elson
James Elson Architect
480-515-9332

LOCATION

9181 E Bell Road Ste 102

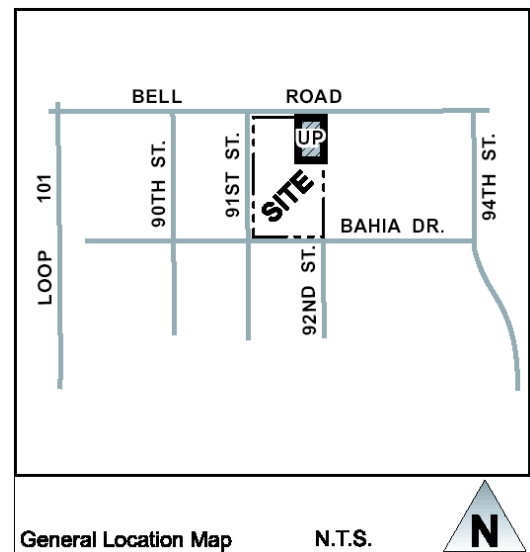
BACKGROUND

Zoning.

The site is zoned I-1 (Industrial Park), which allows private and charter schools subject to conditional use permits. The site is also located within a Planned Community Development (PCD), which applied amended development standards to this area in order to preserve views of the McDowell Mountains along the Bell Road corridor.

General Plan.

The General Plan Land Use Element designates the property as Employment uses. In addition, the Regional Use Overlay is shown over this area. This category and overlay permit a range of employment uses such as light industrial, offices, and other mixed uses.



Context.

This site is located at the southwest corner of Bell Road and 92nd Street, in the McDowell Mountain Business Park also known as Horseman's Park. The surrounding property includes the following:

- North – State Land, I-1 PCD
- East – Coyote's Ice Den and Healthsouth (zoned Highway Commercial C-3 PCD)
- South and West– McDowell Mountain Business Park (zoned I-1 PCD), WestWorld is situated just south of the business park.

**APPLICANT'S
PROPOSAL**

Goal/Purpose of Request.

The proposal is to approve a new charter school in the McDowell Mountain Business Park. The charter school will operate within an existing building and is intended for 9th through 12th grades. The school will operate on weekdays with two separate sessions running from 8-12 AM, and 12-4 PM. Each session will accommodate up to 150 students plus staff. The student drop-off area is located along the east side of the school.

IMPACT ANALYSIS

Development information.

- | | |
|------------------------------------|--|
| • <i>Existing Use:</i> | Newly constructed, unoccupied building. |
| • <i>Buildings/Description:</i> | Facility is a 4,000-square-foot tenant improvement space in the larger 20,000-square-foot building |
| • <i>Parcel Size:</i> | 11.96 +/- acre business center containing 8 buildings |
| • <i>Building Height Allowed:</i> | 36 feet |
| • <i>Existing Building Height:</i> | 26 feet |
| • <i>Parking:</i> | 35 spaces required, 50 spaces provided |
| • <i>Other:</i> | 150 students per shift, with 2 shifts per weekday |

Traffic.

A traffic impact analysis was conducted for this use. The study estimates the school will generate about 642 vehicle trips per day with 125 and 83 trips in the AM and PM peak hours respectively. The study indicates that students arrive at various times in the morning with most arriving between 7:30 and 9:00 AM. A majority of students leave after completing required courses, usually between 3:00 and 4:30 PM. The study estimates that the majority of students will be dropped off with about 25% carpooling with other students. Less than 20% of the students will drive themselves, to school. The analysis indicates that LOS (Level of Service) at area intersections will continue to operate at acceptable levels through 2005. (See Attachments 7 and 7A)

Water/Sewer.

From 92nd Street to the site, City water and sewer lines are provided as part of the Bell Road II Improvement District.

Police/Fire.

Rural Metro has reviewed this proposal and found that it conforms to their requirements for fire protection and fire apparatus access.

Open space, scenic corridors.

A fifty-foot-wide (50), buffered setback is situated along Bell Road, adjacent to the north side of the site.

Policy implications.

The proposal conforms to the Horseman's Park West Planned Community Development Overlay established for this area. The recent amendment to the Zoning Ordinance (5-TA-2002) allows charter schools to locate in the I-1 District, subject to a use permit. Although the existing businesses within this site include a health club and other non-residential uses, future types of uses allowed in the industrial zoning may potentially impact a private or charter school use.

Schools District comments/review.

Scottsdale Unified School District has been notified of this application. The School District was notified by phone and no objections were received.

Use Permit Criteria.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - *All activities are conducted completely within the building.*
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - *The traffic generated by this use is approximately 640 vehicle trips per day. The existing street infrastructure and internal business park drive aisles are adequate to accommodate the associated traffic. Adequate parking and student drop-off and loading areas are provided adjacent to the school. There is a potential for conflict with larger commercial vehicles as the site develops over time.*
 3. There are no other factors associated with this project that will be materially detrimental to the public.
 - *The facility is self-contained and will not adversely affect or cause a negative impact on surrounding land uses.*
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.

- *Adjacent uses include a proposed fitness center, dance studio and karate club, ice rink, professional offices, warehouses, and other types of industrial uses suitable to the area however, future uses in this district may impact this use. The charter school is reasonably compatible with other uses in this area.*
- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied.
- a. The site is situated not within five-hundred (500) feet of an adult use.
 - b. The school site location is part of a larger 11.96 acres in area, more than the minimum required 43,000 square feet.
 - c. There are no proposed outside speakers or bell systems.
 - d. No special outdoor lighting is proposed for this use, which will make use of existing lighting. No residential districts are located within one hundred (100 feet) of the site.
 - e. The overall site plan for the McDowell Mountain Business Center provides open space in conformance city requirements.
 - f. Parking conforms to the ordinance requirements to be located behind the established front building line along Bell Road and 92nd. Street. A 50-foot wide scenic corridor buffer is provided along Bell Road and a 20 feet setback is maintained from 92nd Street.
 - g. No outdoor playgrounds or recreational uses are associated with this case and all activities will be conducted within the building.
 - h. A drop-off area is provided along the east side of the building that will accommodate minimum queuing of five (5) vehicles and a sidewalk connects to the main entry of the building. (See Attachment #6)
 - i. A sidewalk connects the building with the sidewalks along Bell Road and 92nd Street. All buildings shall be designed to be compatible with the surrounding residential neighborhood. The Development Review Board shall approve all building elevations.
 - j. The applicant shall submit a circulation plan to insure minimal conflicts between the student drop-off area, potential van and bus drop-off area, parking, access driveways, pedestrian and bicycle paths on site.
 - k. The Charter School is located outside of the 55 DNL noise contour of the Scottsdale Airport, and has been reviewed and conditionally approved by the Airport Director.
- **These additional conditions have been met.**

Community involvement.

The applicant has contacted property owners within 750 feet of the site. A public open house was held on May 23, 2003. No members of the public attended this meeting. All other feedback received by the applicant has been positive. No opposition from neighbors has been received by Staff.

Community Impact.

It does not appear that the charter school will cause a conflict with adjacent uses. The impact of this use on surrounding areas is considered to be minimal or minor since all activities are conducted indoors. The circulation and drop-off plan is sufficient to accommodate the proposed number of students utilizing the facility. The Bell Road II Improvement District, which is in

place, has anticipated increased traffic in this area. Sufficient on-site parking is available and internal circulation provides adequate connection through the site to adjacent streets.

**STAFF
RECOMMENDATION**

Recommended Approach:

Staff recommends approval, subject to the attached stipulations.

**RESPONSIBLE
DEPT(S)**

Planning and Development Services Department
Current Planning Services

STAFF CONTACT(S)

Al Ward
Senior Planner
480-312-7067
E-mail: award@ScottsdaleAZ.gov

APPROVED BY



Al Ward
Report Author



Randy Grant
Chief Planning Officer

ATTACHMENTS

1. Applicant's Narrative
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Circulation and Drop-off Plan
7. Transportation Department's Review of the Traffic Impact Study
- 7A. Traffic Impact Summary
8. Citizen Involvement
9. Site Plan

The ReInventEd charter school offers high school students an innovative, technologically rich educational environment and a challenging and rigorous learning program. This technology enhanced academic program offers a discipline-based curriculum that is both interactive and stimulating. Teachers challenge, motivate, and encourage students to achieve their goals consistent with their own individualized interests and the general curriculum within a system that is geared towards each student's individual level of proficiency in each of the academic areas. An individual student can then apply these proficiencies to specific sets of issues and problems in a controlled learning environment.

This charter school is dedicated to ensuring the success of its students and to meeting the goals of the school. To assure this success, the school will employ teachers and administrators who have a focus on student learning and a dedication to student success.

ReInventEd provides four essential components that make up a successful education program:

- Content – a curriculum that is cohesive, comprehensive, and truly integrated. This curriculum is developed as a dynamic system that is continually evolving with input from teachers and students and driven by the latest innovations in technology and new findings in the various disciplines.
- Learning Objectives – for each of the academic core subject areas with *skills* and *competencies* that must be mastered by grade level for each subject area.
- Accountability – a comprehensive assessment component that is able to demonstrate value added learning and to provide immediate feedback for both students and parents.
- Delivery – through a technology driven learning system supported by highly qualified and well-trained teachers.

Students learn through lessons that are linked via "streaming video" to the latest technological tools and resources. Content and objectives are clearly identified in order to provide framework for student growth and development.

In addition to content knowledge and basic skills, students earn competencies such as literacy, leadership, collaboration, problem solving, technological proficiency, and self-management. The aim of this academic program is to create life-long learners who possess the skills, confidence, and knowledge to meet the challenge of high school, the working world, college, and beyond.

Program Format...

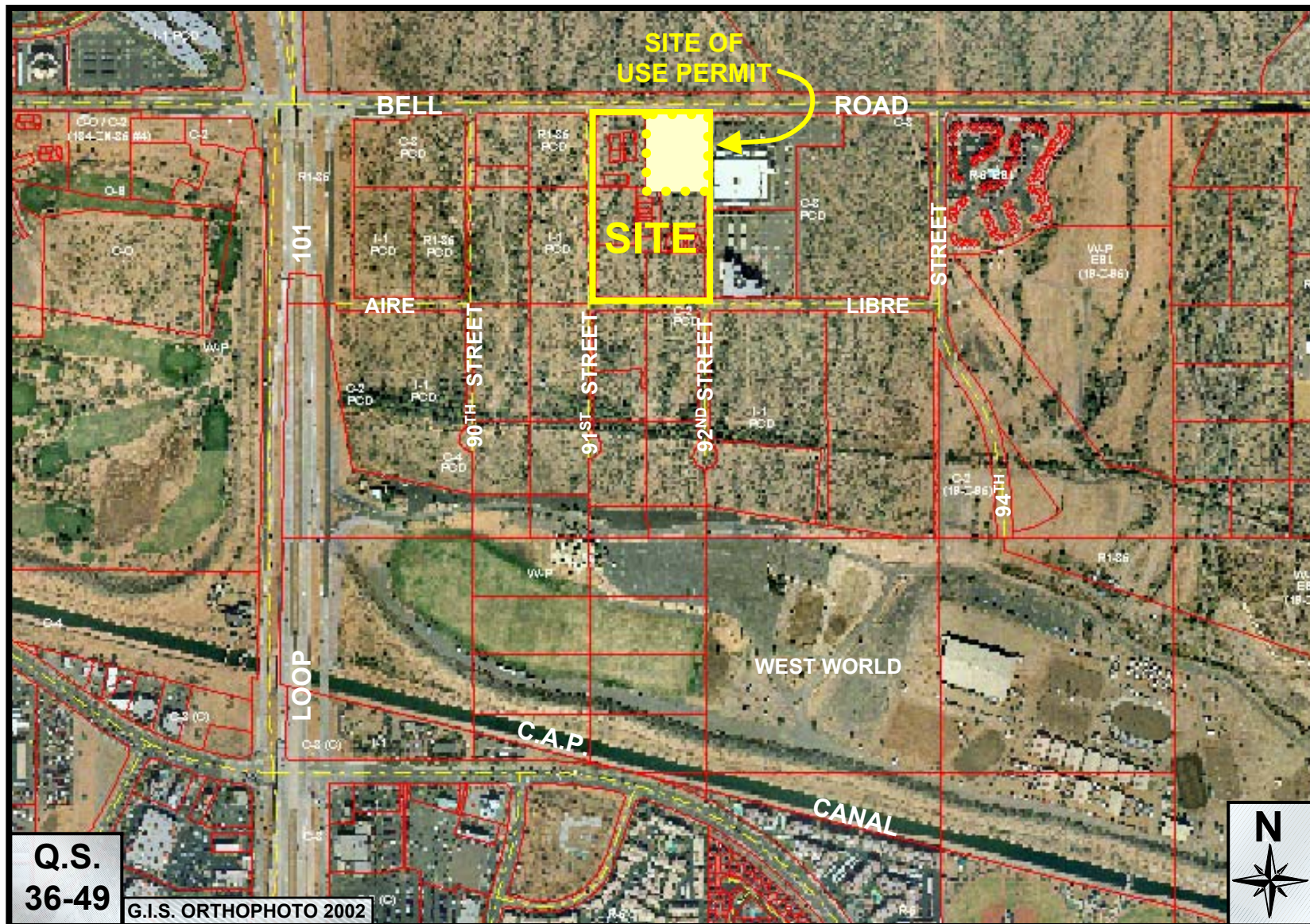
Approximately 90% of the student learning takes place online. This online learning consist of readings, exercises, and quizzes for each of the academic areas. Students progress at their own pace – some students may spend longer on any given unit while other students can choose to progress more quickly through the material. In addition, students and parents can access their individual grades and review their progress in any academic area at any time during the school year. Since all quizzes are taken online, results are provided immediately and are tabulated into each student's total grade for that subject area.

The remaining 10% of class time consist of teacher assisted instruction using additional online materials (including image processing units) to create interdisciplinary learning units that provide hands on learning. These units revolve around important issues such as the environment, health, and service learning.

ReInventEd contracts with E2020, Inc. for online "streaming video" textbook based curriculum units. This curriculum includes specific outcomes and objectives for each of the subject areas (which match standards set by the State of Arizona), textbooks with content that specifically target these outcomes, specific learning methods consisting of online resources and teaching methods.

The E1 permit is needed to fulfill the City of Scottsdale, County of Maricopa, and State of Arizona requirements for operation of a Charter School.

The operations are substantially similar to school with the student attending school for at least 9 months of daily class attendance. Primarily the students will participate in 2 to 3 four hour shifts and participate in computer orientated curriculum. They will have a option to select from 30 plus courses including remedial, general, and advance placement versions of many of the 30 courses.



ReinventED

ATTACHMENT #2



Q.S.
36-49

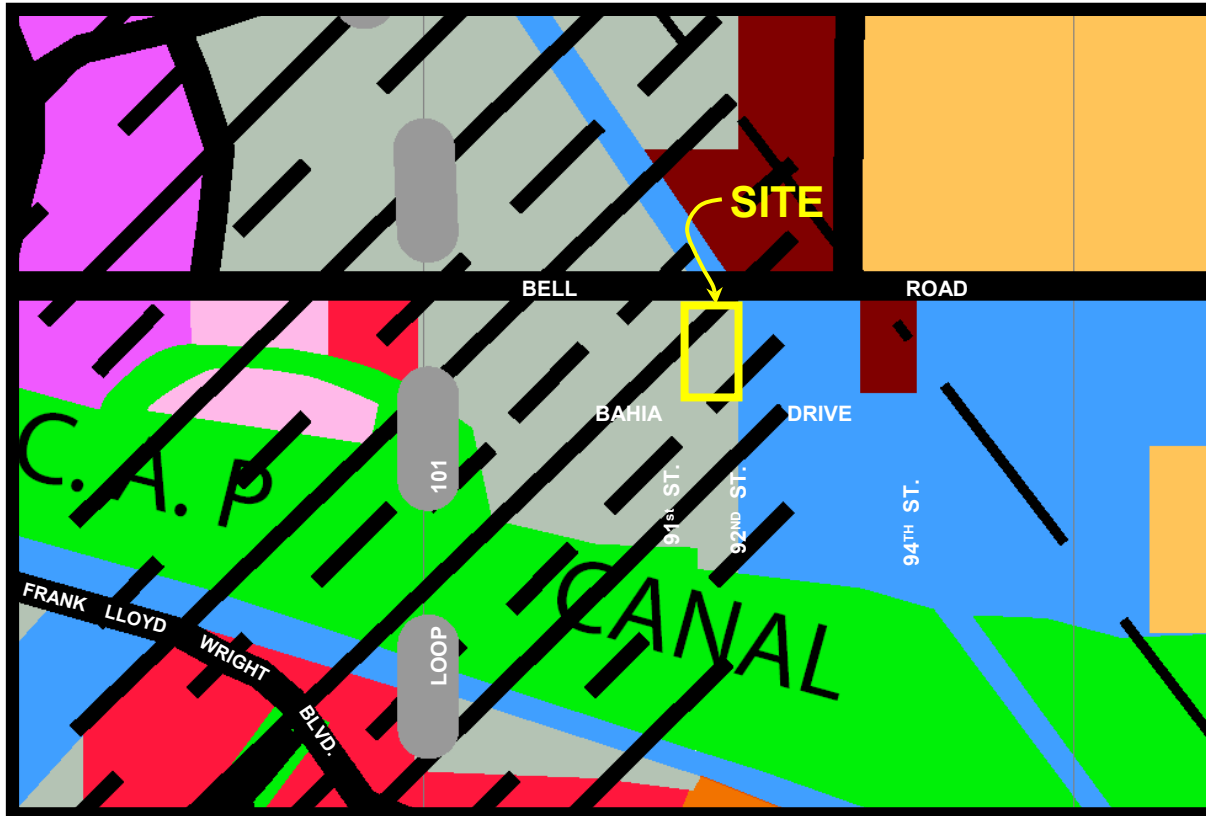
G.I.S. ORTHOPHOTO 2002

ReinventED

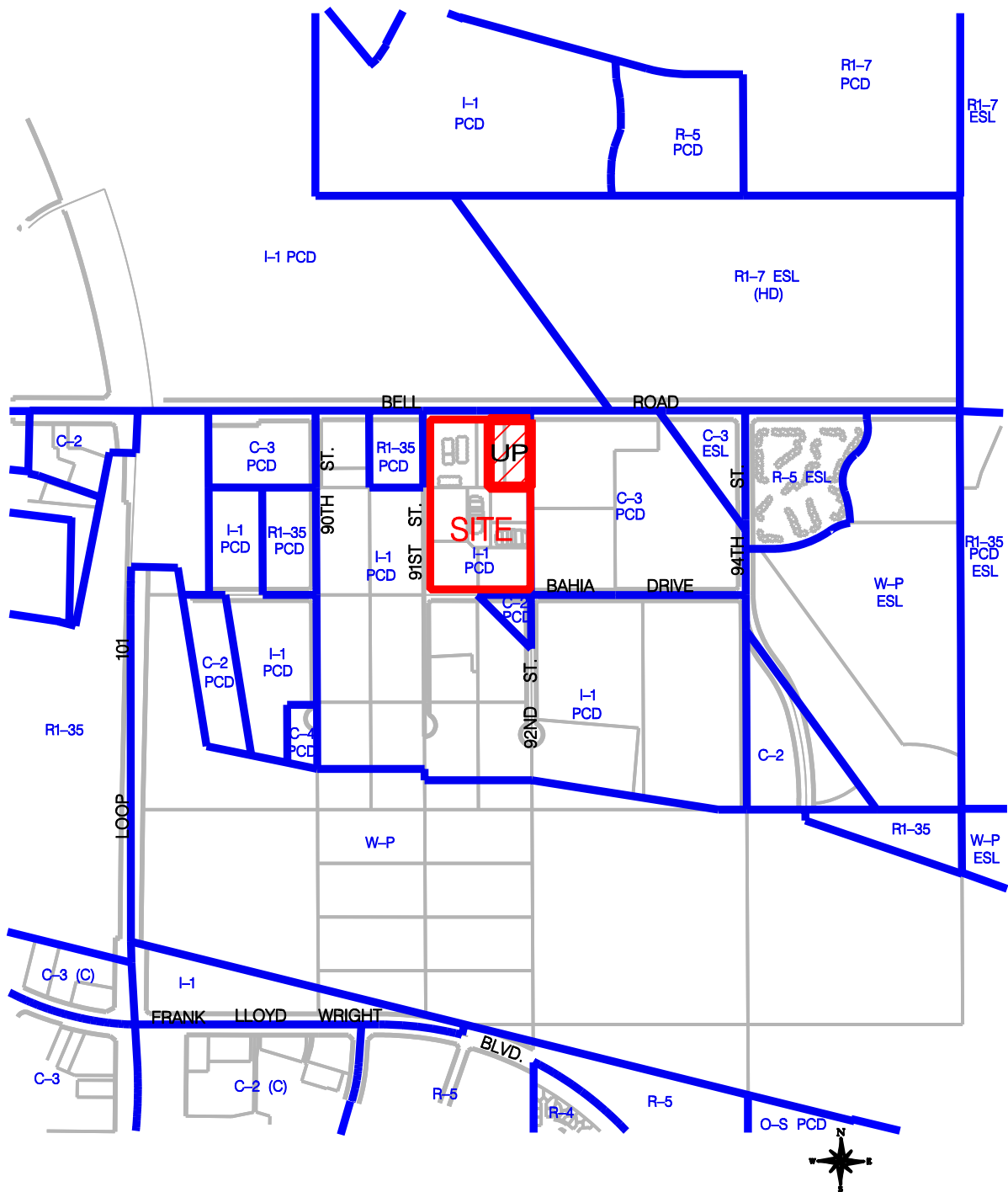
11-UP-2003

ATTACHMENT #2A

General Plan



11-UP-2003
ATTACHMENT #3



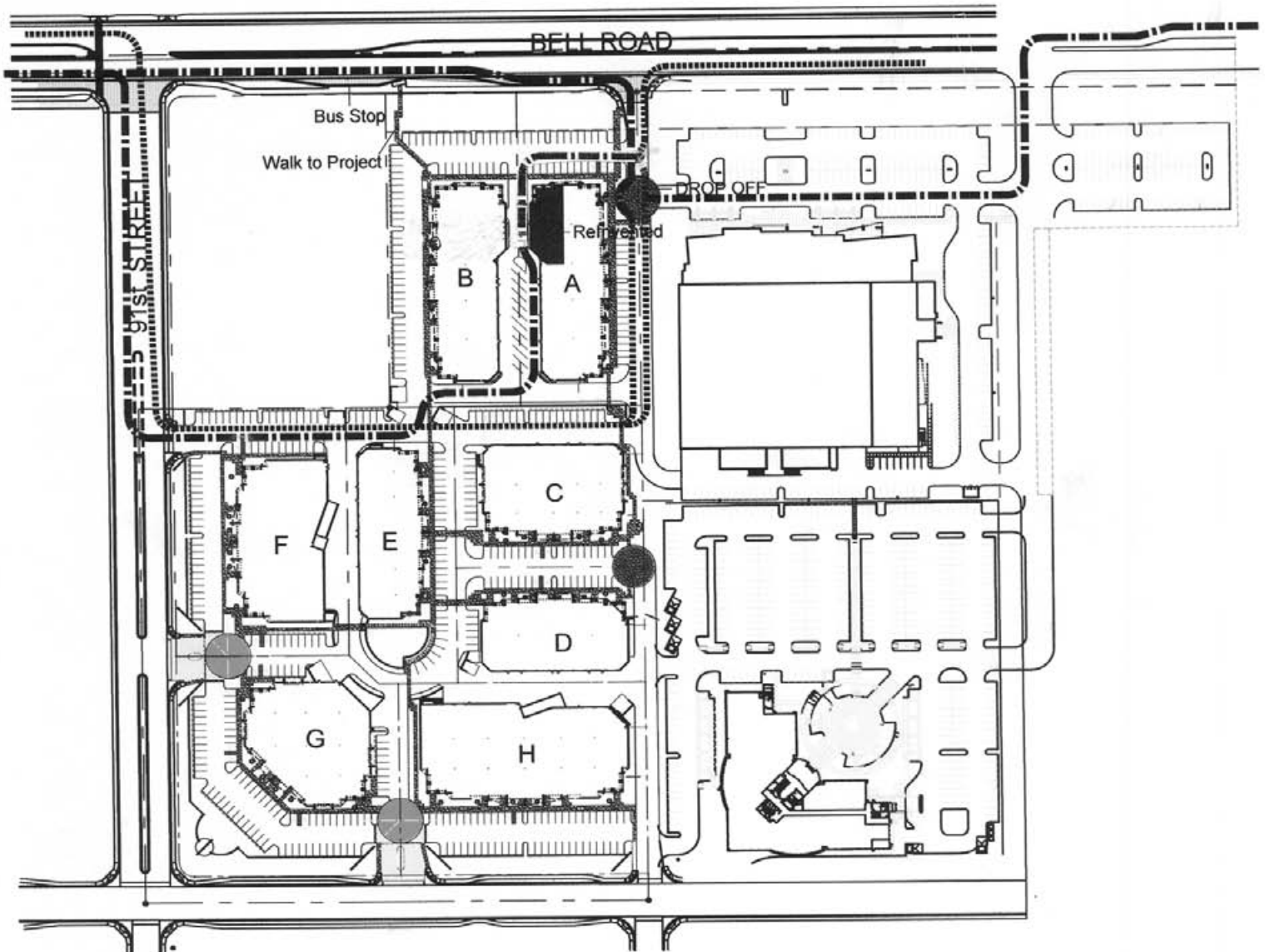
STIPULATIONS FOR CASE 11-UP-2003

PLANNING/ DEVELOPMENT

1. **CONFORMANCE TO DEVELOPMENT SUBMITTAL.** Development shall conform with the site plan submitted by James Eslon Architect and dated 5/19/03. These stipulations take precedence over the above-referenced site plan. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. **MAXIMUM ENROLLMENT.** *There shall be a maximum school enrollment of one hundred and fifty (150) students per session with a maximum of two (2) sessions per day, without additional subsequent public hearings before the Planning Commission and City Council.*
3. **OUTDOOR ACTIVITIES.** *All instructional activities shall be conducted completely within the building and no outdoor activities shall be permitted unless otherwise approved through a special event permit.*
4. **STUDENT DROPOFF AREA.** *The student drop-off area shall be at the vehicle turnaround area located along the east side of the building and shall contain a minimum 5-vehicle length drop-off zone as well as sidewalk leading to the main entry of the facility.*
5. **SPEAKER SYSTEM.** *There shall be no outside speaker system or bells.*
6. **PARKING ANALYSIS.** *With the final plan submittal, the developer shall provide a revised parking analysis, to the satisfaction of Plan Review and Permit Services staff.*
7. **91st ST. MEDIAN MODIFICATIONS.** *Prior to issuance of Certificate of Occupancy, the applicant/developer shall modify the existing median on 91st St. to provide full access at the northern driveway to the project site to accommodate the proposed circulation plan.*
8. **PERMISSION TO USE ADJACENT DRIVEWAYS.** *The applicant shall demonstrate an agreement that permission has been reached with the Ice Den to use driveways to provide access from the east of the site on Bell Road to the school as shown on the circulation plan, or provide an alternate acceptable route to the satisfaction of City Staff.*

INGRESS

EGRESS



ReInvented CIRCULATION PATTERNS & DROP OFF

ATTACHMENT #6

11-UP-2003

TRAFFIC IMPACT ANALYSIS SUMMARY
ReInventEd, Inc.
11-UP-2003

Summary Prepared by Jennifer Kroening, COS Traffic Engineering
Traffic Impact Study Prepared by Chuck Wright, Kimley-Horn and Associates, Inc.

Existing Conditions:

The proposed site for the ReInventEd charter school is located in the Horseman's Park Area, south of Bell Road and east of the Loop 101 Freeway. The project site is located on the south side of Bell Road, west of 91st Street. The streets in the vicinity of the project were recently constructed as part of the Bell Road II Improvement District. The roadway classifications, intersection traffic control, and number and location of auxiliary turn lanes were determined in a traffic study for the Bell Road II Improvement District project. This traffic study was prepared by Gannett Fleming. In the traffic study, it was assumed that the vacant land within the Improvement District boundaries would be developed as office and industrial type uses.

Bell Road is classified as a Neighborhood System street. It has two lanes in each direction separated by a landscaped median and functions as a minor arterial street. Bell Road runs from Hayden Road to approximately 108th Street where it turns south and becomes McDowell Mountain Ranch Road. The posted speed limit on Bell Road is 45-MPH.

91st Street is also classified as a Neighborhood System street on the Community Mobility Element of the City's General Plan. 91st Street runs from Bell Road to just south of Bahia Drive where it terminates in a cul-de-sac. 91st Street is constructed as a major collector street. 91st Street has two lanes in each direction with a landscaped median between Bell Road and Bahia Drive. The posted speed limit on 91st Street is 35-MPH.

The intersection of 91st Street & Bell Road was evaluated as part of this study. It is a tee intersection. A traffic signal was constructed at the intersection with the improvement district, but it has not yet been activated. It is anticipated that it will be activated as the Horseman's Park area continues to develop.

Traffic collision data was reviewed from January 1, 2002 through May 2003. During this time period, there were 5 collisions along Bell Road east of the Pima Freeway. There were no significant accident patterns for the collisions. Further, conditions on Bell Road have been significantly improved with the addition of a landscaped median and traffic signals through the Bell Road II Improvement District.

Proposed Development:

The applicant in this case is requesting a Use Permit to operate a charter school in an existing building. The existing building is part of a 13.5 acre approved Industrial Park/Business Park development. The existing zoning on the property is Industrial Park District (I-1). The applicant is proposing to use 4,000 square feet of building area on the site to operate a charter school. The proposed school would be comprised of approximately 200 students and four staff members.

A traffic study was completed for the approved Industrial Park/Business Park development on the site. Kimley-Horn and Associates, Inc. prepared the traffic study

titled “Wing One Properties at Horseman’s Park Traffic Impact Analysis.” Kimley-Horn and Associates, Inc. recently updated the traffic study to reflect the changes proposed if the Use Permit for the charter school is granted. A copy of the updated study is attached for reference. The Trip Generation Table below summarizes the expected trip generation for the project site with and without the proposed charter school.

TRIP GENERATION TABLE

Original On-Site Trip Generation	Daily Total	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Business Park 102,911 sq ft	1,313	124	23	147	31	102	133
Industrial Park 102,911 sq ft	717	75	17	92	20	75	95
Total	2,030	199	40	239	51	177	228
Alternative On-Site Trip Generation With School	Daily Total	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Business Park 102,911 sq ft	1,313	124	23	147	31	102	133
Industrial Park 98,911 sq ft	689	73	16	89	19	72	91
School 4,000 sq ft	642	71	54	125	35	48	83
Total	2,644	268	93	361	85	222	307

The Trip Generation Table above shows that if the site is developed as the approved Industrial Park/Business Park the site will generate 2,030 trips per day with 239 during the a.m. peak hour and 228 during the p.m. peak hour. If 4,000 square feet that were originally designated as Industrial Park uses are converted to a charter school, the site will generate 2,644 trips per day with 361 during the a.m. peak hour and 307 during the p.m. peak hour.

The Trip Generation Comparison Table below compares the original approved site plan for the site to the alternative site plan with the proposed charter school.

TRIP GENERATION COMPARISON TABLE

	Daily Total	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Original Site Plan <i>without school</i>	2,030	199	40	239	51	177	228
Alternative Site Plan <i>with school</i>	2,644	268	93	361	85	222	307
Change	+614	+69	+53	+122	+34	+45	+79

The Trip Generation Comparison Table above shows that approval of the requested Use Permit will result in an additional 614 trips per day for this site with an additional 122 trips during the a.m. peak hour and an additional 79 trips during the peak hour.

Site Access:

The project site has one driveway on Bell Road along the east property line. This driveway is shared with the adjacent property to the east, the Ice Den. Due to the proximity to the intersection of 91st Street & Bell Road, this driveway is restricted to right turns in and right turns out by a raised median on Bell Road. The Ice Den has an additional full access driveway to Bell Road along its east property line.

The project site has two driveways to 91st Street. The northern driveway on 91st Street is currently restricted by a median to right turns in and right turns out of the driveway. The southern driveway on 91st Street allows full access.

The applicant has submitted a circulation plan showing the proposed student drop-off and pick-up location on the east side of the school building along the driveway on the east property line of the site. The circulation plan shows that vehicles arriving from the west on Bell Road will enter and exit the site using the intersection of 91st Street & Bell Road and will use the northern site driveway on 91st Street. The existing median on 91st Street will have to be modified to accommodate the proposed circulation plan. Alternatively, vehicles arriving from the west could also enter the site at the driveway along the east property line, but would still exit the site on 91st Street. For vehicles arriving from the east on Bell Road, the circulation plan shows that vehicles will enter the site using the full access driveway on Bell Road on the east side of the Ice Den and will travel through the Ice Den parking lot to access the school. Vehicles exiting to the east will use the restricted driveway on Bell Road on the east side of the project site.

The proposed circulation plan is unusual for a school because vehicles must travel a significant distance through parking lots rather than streets. Since this is an industrial area, there is a potential for passenger vehicles accessing the school to have conflicts in the parking lot with vehicles making parking maneuvers and large delivery trucks servicing the industrial tenants.

Future Conditions:

The traffic study prepared by Kimley-Horn, Inc. analyzed the background traffic conditions and the estimated traffic generated by the proposed project for the horizon year of 2003. Capacity calculations for signalized intersections reflect the performance of the overall intersection. Capacity calculations for stop-controlled intersections are evaluated for each stop controlled approach to the intersection. The overall Level of Service (LOS) for the intersection is reported as the poorest LOS from the approaches. The following Level of Service Table analyzes the LOS at the nearby intersection of 91st Street & Bell Road and at the project site driveway on Bell Road. The table compares the LOS for the intersection with and without the proposed school traffic.

Level of Service Table

	Level of Service			
	AM Peak Hour		PM Peak Hour	
	Without School Traffic	With School Traffic	Without School Traffic	With School Traffic
91 st Street & Bell Road	A	B	A	B
Project Site Driveway & Bell Road	B	B	B	B

Additional Information:

The traffic study prepared by Kimley-Horn, Inc. also evaluated the right and left turn lanes in the vicinity of the project site. Right turn lanes have already been constructed for the eastbound directions at the intersection of 91st Street & Bell Road and at the project site driveway on Bell Road. Left turn lanes have already been constructed in the northbound and westbound directions at the intersection of 91st Street & Bell Road. The existing left turn lanes have adequate storage capacity to accommodate traffic volumes through the Year 2005.

Summary:

The approval of this Use Permit for the proposed charter school will result in an additional 614 trips per day from the project site. This represents a 30% increase in trip generation compared to if the site were developed as the approved Industrial Park/Business Park without the charter school. Capacity analysis at the intersection of 91st Street & Bell Road and the project site driveway on Bell Road demonstrates that with the addition of the school traffic there will be no impact to the level of service at either location during the morning or evening peak hours in the horizon year 2003.

The proposed on-site circulation plan requires that vehicles travel a significant distance through parking lots rather than streets. Since this is an industrial area, there is a potential for passenger vehicles accessing the school to have conflicts in the parking lot with vehicles making parking maneuvers and large delivery trucks servicing the industrial tenants.

Staff Concerns:

- The applicant should demonstrate that they have received permission from the Ice Den to use the Ice Den driveway and parking lot to provide access from the east of the site on Bell Road to the school as is shown in the proposed circulation plan. (This agreement has been stipulated as part of this case)
- The applicant should modify the existing median on 91st Street to provide full access at the northern driveway to the project site to accommodate the proposed circulation plan. (This requirement has been stipulated as part of this case)
- The traffic signal at the intersection of 91st Street & Bell Road has not yet been activated due to low traffic volumes in the area. The traffic impact study for the proposed charter school assumes that the traffic signal will be operational to accommodate school traffic. (The traffic impact analysis is being modified to reflect this situation)
- Since the school plans to use the full access driveway on the east property line of the Ice Den, the traffic study should evaluate the capacity of that intersection with and without the proposed school traffic. (The traffic impact analysis is being modified to reflect this situation)

11-UP-2003

ReInventED

Attachment #7A. Traffic Summary

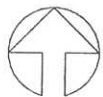
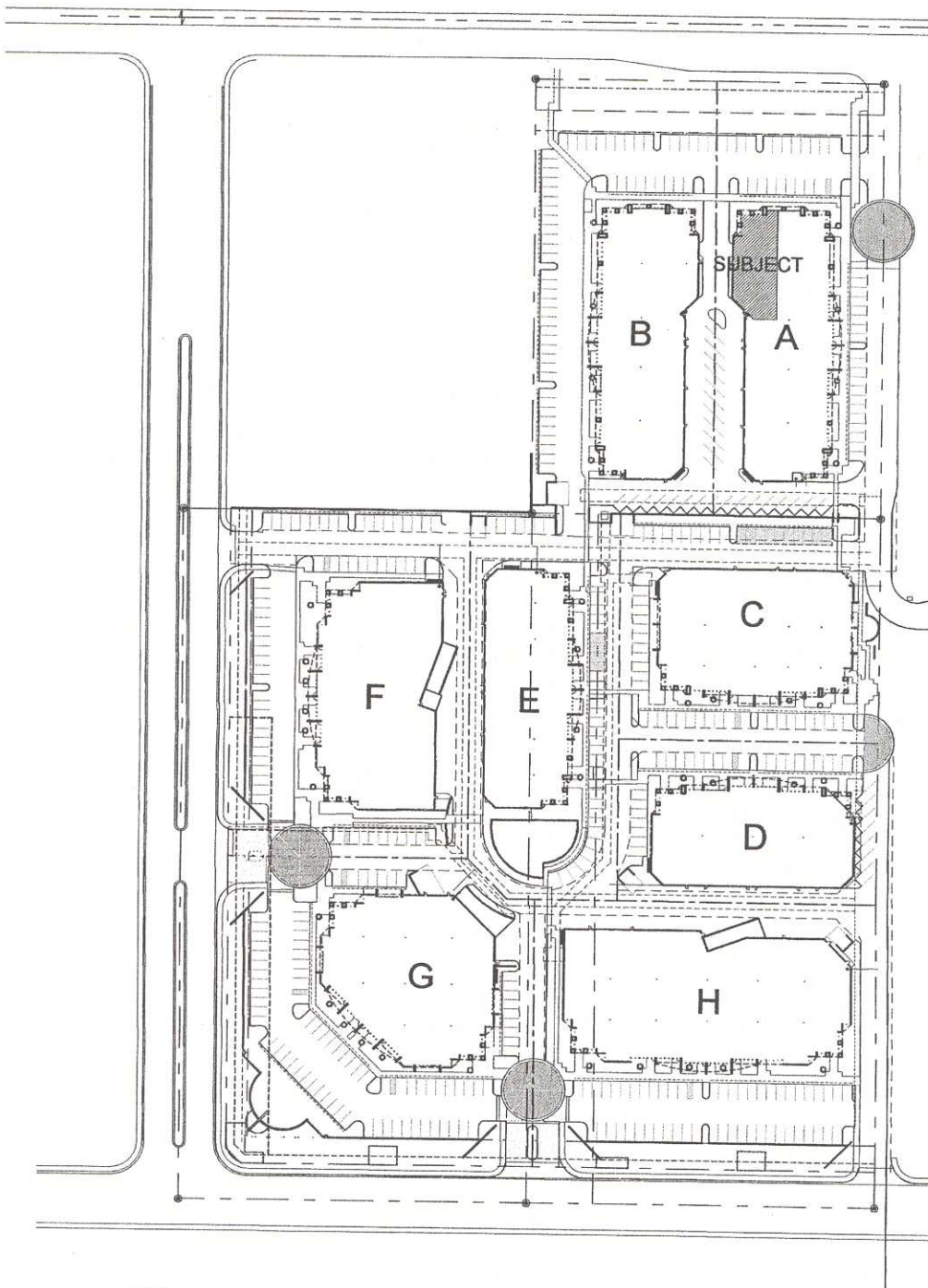
This attachment is on file at the City of
Scottsdale Current Planning office,
7447 E Indian School Road, Suite 105.

11-UP-2003

ReInventED

Attachment #8. Citizen Involvement

This attachment is on file at the City of
Scottsdale Current Planning office,
7447 E Indian School Road, Suite 105.



ReinventEd
PROJECT SITE PLAN

11-UP-2003
5/19/2003